

JUDGE'S COPY

copy (40)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,

Plaintiff

v.

W. CONWAY BUSHEY, et al.,

Defendants

No. 1:00-CV-00577
(Judge Kane)

FILED
HARRISBURG

OCT 31 2000

MARY E. D'ANDREA, CLERK
Per S/S
DEPUTY CLERK

MOTION FOR LEAVE TO DEPOSE PLAINTIFF

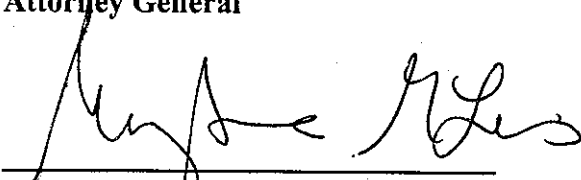
Pursuant to Rule 30(a) of the Federal Rules of Civil Procedure, defendant, by his attorney, moves the Court for leave to depose plaintiff in the above-captioned action, and in support thereof states the following:

1. This is a civil action for damages brought pursuant to 42 U.S.C. §1983.
2. Plaintiff, Charles Iseley, #AM-9320 is incarcerated at the State Correctional Institution at Coal Township, Pennsylvania. Currently, he is temporarily housed at SCI-Graterford regarding a court proceeding. Upon completion of that proceeding, Iseley will be returned to SCI-Coal Township.
3. Under Rule 30(a) of the Federal Rules of Civil Procedure, a person confined to prison may be deposed only by leave of Court.
4. The deposition of plaintiff will assist the defense in disposing of this case either by pre-trial motion or at trial.
5. Defendants request that they be permitted to depose the plaintiff at the State Correctional Institution at Coal Township.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By:



MARYANNE M. LEWIS
Deputy Attorney General

SUSAN J. FORNEY
Chief Deputy Attorney General
Chief Litigation Section

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15th Floor, Strawberry Sq.
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Direct Dial: (717) 787-1194

DATE: October 31, 2000

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CERTIFICATE OF SERVICE

I, Maryanne M. Lewis, Deputy Attorney General, hereby certify that on this date I caused to be served the foregoing Motion For Leave to Depose Plaintiff, by depositing a copy of the same in the United States mail, postage prepaid, in Harrisburg, PA., addressed to the following:

Charles Iseley, #AM-9320
SCI-Graterford
Box 244
Graterford, PA 19426-0244


MARYANNE M. LEWIS
DEPUTY ATTORNEY GENERAL

DATE: October 31, 2000